

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WENDY SANCHEZ,

Plaintiff,

- against -

FC QUEENS PLACE ASSOCIATES, LLC,
DARDEN RESTAURANTS, and RED LOBSTER,

Defendants.
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AMON, Chief United States District Judge.

NOT FOR PUBLICATION
ORDER
12-CV-03321 (LBA) (JMA)
FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 21 2012 ★

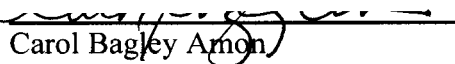
BROOKLYN OFFICE

Plaintiff Wendy Sanchez commenced this for injuries allegedly suffered while at a Red Lobster Restaurant located in Flushing, New York. On August 22, 2012, defendants moved for summary judgment, seeking to dismiss Sanchez's complaint against defendant FC Queens Place Associates, LLC ("FC Queens Place"). The Court referred the motion to Magistrate Judge Joan M. Azrack for report and recommendation. On October 23, 2012, the parties entered into a Partial Stipulation and Order of Discontinuance with Prejudice, which discontinued the action against FC Queens Place. (DE #23.) In light of this discontinuance, Magistrate Judge Azrack recommended on December 5, 2012 that the motion for summary judgment be denied as moot.

Neither party has objected to the R&R, and the time for doing so has passed. Finding no clear error on the face of the record, the Court hereby adopts as the opinion of the Court Magistrate Judge Azrack's recommendation to dismiss defendants' pending motion for summary judgment as moot. See 28 U.S.C. § 636(b)(1)(C); Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011).

SO ORDERED.

Dated: Brooklyn, New York
December 21, 2012

✓ s/Carol Bagley-Amon

Carol Bagley Amon
Chief United States District Judge